

Message Text

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DRAFTED BY: ARA/CEN/CR:MMBOVA:RP

APPROVED BY: ARA/CEN:DLAZAR

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FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 269344

STADIS////////////////////////////////////

LIMDIS

FOR ROBERT ROSENSTOCK USUN LEGAL DIVISION, TO BE PASSED TO
U.S. ATTORNEY'S OFFICE

FOL TEL RPT SAN JOSE 4762 SENT ACTION SECSTATE NOV 10 QTE

C O N F I D E N T I A L SAN JOSE 4762

STADIS

LIMDIS

E.O. 11652: GDS

TAGS: PFOR, PGOV, CS

SUBJECT: REQUEST FOR FOREIGN MINISTER FACIO'S TESTIMONY BEFORE
SDNY GRAND JURY

REF: STATE 264611

FOR ARA-LA/CEN MR. DAVID LAZAR

1. I BELIEVE IT BEST FOR SAGOR TO CALL FACIO DIRECT.
TELEPHONE NUMBER IS 22-99-48.

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WM IN EFFORT TO TEST FACIO'S REACTION, I ASKED HIM ON NOVEMBER

6 WHETHER HE HAD SEEN SAGAOR WHILE IN NEW YORK. FACIO SAID UNFORTUNATELY IT WAS NOT POSSIBLE TO FIX A MUTUALLY CONVENIENT TIME. U.S. ATTORNEY'S OFFICE WISHED TO MEET WITH HIM BEFORE HE MADE HIS ADDRESS TO UNITED NATIONS AND IT WAS IMPOSSIBLE FOR HIM TO DO SO. ON THE FRIDAY AFTER HE HAD SPOKEN HE OFFERED TO MEET WITH U.S. ATTORNEY'S OFFICE, BUT THAT WAS NOT CONVENIENT AND HE COULD NOT EXTEND HIS STAY IN THE UNITED STATES ANY LONGER. FACIO SAID IN ANY CASE THERE IS LITTLE OR NOTHING HE CAN USEFULLY ADD. HE SAID HE HAD TAKEN DOCUMENTS WITH HIM TO REFRESH HIS MEMORY BECAUSE HE REALLY HAS FORGOTTEN VERY MUCH ABOUT WHAT HAPPENED, PARTICULARLY SINCE HE WAS NOT PERSONALLY INVOLVED TO ANY LARGE EXTENT. HE SAID HE DID NOT KNOW WHEN HE WOULD BE IN THE UNITED STATES AGAIN AND THEREFORE DOUBTED THERE WOULD BE AN OPPORTUNITY FOR AN EARLY MEETING. HOWEVER, IF THE U.S. ATTORNEY'S OFFICE WOULD SEND HIM WRITTEN QUESTIONS, HE WOULD ANSWER AS COMPLETELY AS HE COULD.

3. IN VIEW OF ABOVE, BELIEVE IT WOULD NOT BE APPROPRIATE NOR HELPFUL FOR ME TO APPROACH FACIO AGAIN RIGHT NOW.

4. DEPARTMENT WILL RECALL THAT IN THE PAST FACIO HAS INDPCATED HIS WILLINGNESS TO MEET WPTH U.S. ATTORNEY INFORMALLY ON THIS MATTER. I NOTE, HOWEVER, THAT SAGOR IS NOW TALKING ABOUT FORMAL TESTIMONY BEFORE GRAND JURY, AND I DOUBT THAT FACIO'S REACTION TO SUCH A REQUEST WILL BE FAVORABLE. I BELIEVE IT WOULD BE PREFERABLE TO STICK TO EARLIER SCENARIO BY PROPOSING ANOTHER INFORMAL TALK WITH SAGOR.

5. IN ANY CASE, I HOPE THE DEPARTMENT WILL INSURE THAT WE GET IMMEDIATE REPORT FROM SAGOR ON OUTCOME OF HIS CALL TO FACIO. TODMAN
UNQTE KISSINGER

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